

Changes from Public Notice Draft
NPDES General Permit for Discharges from the
Application of Pesticides, SCG160000

Location in Permit	Description
Cover Page	Revised the effective date to be the date the mandate in the case of <i>National Cotton Council of America, et. al. v. United States Environmental Protection Agency</i> , 553 F.3d 927 (6 th Cir. 2009), becomes effective.
1.0	Clarified that permit does not apply to application of pesticides in treatment works.
1.1.1.d	Clarified scope of Pesticide Use Pattern # 4 to include pesticide application within a forest, not just the forest canopy.
1.1.2.2	Revised requirements for Tier 3 waters to allow delayed submittal of request for coverage in the event of a declared pest emergency situation.
1.1.2.3.a & b	Clarified that the Part is referring to discharges from the application of pesticides currently or previously covered by another permit.
1.2.2, Table 1, Footnote 2	Replaced the word ‘ditch’ with creek to avoid confusion regarding a man-made ditch versus waters of the State.
1.2.2	Allowed for the ability to submit signed NOIs via e-mail attachment or fax and clarified that NOIs prepared electronically on the Department’s website must be followed up by signed NOI.
1.2.3	Extended deadline for NOI submittals until sixty (60) days after the effective date of the permit.
1.2.3, Table 2	Clarified that the 10-day clock starts upon receipt of the signed NOI.
1.2.3, Table 2, Footnotes 2 & 3	Stated the Department’s authority to request additional information or deny coverage.
1.6	Added condition regarding Coastal Zone Consistency Certification. The public notice of the Coastal Zone Consistency review was included as part of the Department’s public notice of this permit.
1.7	Added condition to allow for the requirements of the permit (in part or in whole, as applicable) to end if a change in federal law or regulations results in there no longer being a need for an NPDES permit for the activities regulated under the permit.
2.2	Clarified that IPM only applies to those pesticide use patterns exceeding an annual threshold.
2.2.4	Clarified scope of Pesticide Use Pattern # 4 to include pesticide application within a forest, not just the forest canopy.
4.2, 4.2.1 & 4.2.2	Clarified responsibilities for owners and for-hire applicators regarding monitoring and clarified expectations for monitoring during and after pesticide application.
5.1	Removed Part 5.1.e which was unrelated to Part 1.5 and not explained elsewhere in Part 5.1. Renumbered 5.1.f to 5.1.e.
5.1.2.a	Added reference to 2.2.5 which was inadvertently left out of draft.
5.3	Clarified that PDMPs must be retained at the operator’s physical address rather than at the facility address.
6.0	Clarified responsibilities for owners and for-hire applicators.
6.1.c	Corrected consistency issues between Part 6.1.c and Parts 2.1.1, 2.1.2, and 2.1.3.
7.1	Added requirement to keep in records justification for why Part 4.2 monitoring was not performed (if applicable).

7.2	Clarified that records listed in 7.2 must be kept at the operator's physical address (except as otherwise noted in 7.2).
7.2.n	Revised 7.2.n to eliminate requirement to keep documentation of any equipment cleaning and repair.
7.3	Clarified the requirement to keep records under this permit for 3 years. Added reference to Appendix B, Subsection J recordkeeping requirements.
7.4.d	Revised pesticide use pattern names for consistency with other parts of the permit.
7.4.h	Clarified that the Department may request copies of any adverse incident reports (if applicable) as part of the Summary Report (if requested). Draft condition used the word 'data' rather than 'reports'.
8.0	Revised for consistency with other parts of the permit.
Appendix A, Adverse Incident Definition	Revised Item 1 under the definition of 'Adverse Incident' to read as follows: "A person or non-target organism has likely been exposed to a pesticide residue, and".
Appendix A, Treatment Area Definition	Removed the word 'ditch' to avoid confusion regarding a man-made ditch versus a waters of the State.
Appendix A, Treatment Works Definition	Added definition of 'Treatment Works'.
Appendix C	Simplified/clarified NOI requirements.
Appendix D	Revised NOT requirements for consistency with NOI.
Throughout	Corrected typos and grammatical mistakes.